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EXTRAORDINARY

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PART II—Section 2

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन
के रूप में रखा जा सके ।

Separate paging is given to this Part in order that it may be filed
as a separate compilation

LOK SABHA

The following Bills were introduced in Lok Sabha on the 12th December, 1983:—

BILL No. 133 OF 1983

A Bill to amend the Export (Quality Control and Inspection) Act, 1963

BE it enacted by Parliament in the Thirty-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Export (Quality Control and Inspection) Amendment Act, 1983.

Short
title and
com-
mence-
ment.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

22 of 1963.

2. In section 2 of the Export (Quality Control and Inspection) Act, 1963 (hereinafter referred to as the principal Act), clause (a) shall be re-lettered as clause (ac), and before clause (ac) as so re-lettered, the following clauses shall be inserted, namely:—

Amend-
ment of
section 2.

‘(a) “adjudicating authority” means the authority specified in, or under, section 10K;

(ab) “Appellate authority” means the Appellate authority referred to in section 10M;’.

3. In section 3 of the principal Act, in sub-section (1), in clause (f), for the word “eleven”, the word “fifteen” shall be substituted.

Amend-
ment of
section
3.

Amend-
ment of
section 7.

4. In section 7 of the principal Act,—

(a) after sub-section (3), the following sub-section shall be inserted, namely:—

“(3A) Where the agency has reason to believe that a certificate issued under sub-section (3) has been obtained fraudulently or by misrepresentation, or the commodity in relation to which the certificate is issued has been changed or has deteriorated in quality, the agency may, by order, amend, suspend or cancel the certificate in such manner and subject to such procedure as may be prescribed:

Provided that before amending, suspending or cancelling any such certificate the holder thereof shall be given a reasonable opportunity of being heard.”;

(b) in sub-section (4), after the words “a certificate”, the words, brackets, figure and letter “, or by the amendment, suspension or cancellation of a certificate under sub-section (3A),” shall be inserted.

5. After section 10 of the principal Act, the following sections shall be inserted, namely:—

Insertion of
new
sections
10A to 10P.
Power
to enter
and
inspect.

‘10A. The Director of Inspection and Quality Control or any officer of the Central Government authorised by him in writing in this behalf (hereinafter referred to as the “authorised officer”) may enter at any reasonable time, any premises in which—

(a) any commodity which has been changed after inspection by any agency referred to in sub-section (1) of section 7; or

(b) any books of account or other documents or things which, in his opinion, will be useful for, or relevant to, any proceeding under this Act,

are suspected to have been kept or concealed, and inspect such commodity, books of account, other documents or things and may take such notes or extracts from such books of account or other documents as he may think fit.

10B. If the authorised officer has any reason to believe that—

(a) any commodity which has been changed after inspection by any agency referred to in sub-section (1) of section 7; or

(b) any books of account or other documents or things which, in his opinion, will be useful for, or relevant to, any proceedings under this Act,

are secreted in any place, he may enter into and search such place or premises for such commodity, books of account, other documents or things.

10C. (1) If the authorised officer has any reason to believe that any commodity is liable to confiscation under this Act, he may seize such commodity together with the package, covering or receptacle, if any, in which such commodity is found and where such commodity is found to have been mixed with any other goods or materials, he may seize such commodity together with the goods or materials with which it is so mixed:

Provided that where it is not practicable to seize any such commodity, the authorised officer may serve on the owner of the commodity an order that he shall not remove, part with, or

Power to
search.

Power to
seize
commodities
etc.

otherwise deal with, the commodity except with the previous permission of such authorised officer.

(2) Where any commodity is seized under sub-section (1) and no notice in respect thereof is given under section 10L within six months of the seizure of such commodity, it shall be returned to the person from whose possession it was seized:

Provided that the aforesaid period of six months may, on sufficient cause being shown, be extended by the Director of Inspection and Quality Control by a further period not exceeding six months.

(3) The authorised officer may seize any documents or things which, in his opinion, will be useful for, or relevant to, any proceeding under this Act.

(4) The person from whose custody any documents are seized under sub-section (3) shall be entitled to make copies thereof or take extracts therefrom in the presence of the authorised officer.

(5) If any person legally entitled to the documents or things seized under sub-section (3) objects, for any reason, to the retention by the authorised officer of the documents or things, he may make an application to the Central Government stating therein the reasons for such objection and requesting for the return of the documents or things.

(6) On receipt of an application under sub-section (5), the Central Government may, after giving the applicant an opportunity of being heard, pass such order as it may think fit.

(7) Where any document—

(a) is produced or furnished by any person or has been seized from the custody or control of any person under this Act or any other law for the time being in force; or

(b) has been received from any place outside India (duly authenticated by such authority or person and in such manner as may be prescribed) in the course of the investigation of any offence alleged to have been committed by any person against this Act,

and such document is tendered in evidence against the person by whom it is produced or from whom it was seized or against such person and any other person who is jointly tried, or proceeded against, with him, the court, or, as the case may be, the adjudicating authority shall, notwithstanding anything to the contrary contained in any other law for the time being in force,—

(i) presume, unless the contrary is proved, that the signature and every other part of such document which purports to be in the handwriting of any particular person or which the court or the adjudicating authority may reasonably assume to have been signed by, or to be in the handwriting of, any particular person, is under that person's handwriting, and, in the case of a document executed or attested, it was executed or attested by the person by whom it purports to have been so executed or attested;

(ii) admit the document in evidence notwithstanding that it is not duly stamped, if such document is otherwise admissible in evidence.

Power
to stop
and seize
con-
veyan-
ces.

10D. Any authorised officer may, if he has any reason to suspect that any conveyance or animal is being, or is about to be, used for the transportation of any commodity which is liable to confiscation under this Act and that by such transportation any provision of this Act has been, is being, or is about to be, contravened, at any time stop such conveyance or animal or, in the case of an aircraft, compel it to land, and

(a) rummage and search the conveyance or any part thereof,

(b) examine and search any goods or materials in the conveyance or on the animal,

(c) if it becomes necessary to stop any conveyance or animal, he may use all lawful means for stopping it and where such means fail, the conveyance or animal may be fired upon,

and where he is satisfied that it is necessary so to do to prevent the contravention of any provision of this Act, he may seize such conveyance or animal.

Explanation.—Any reference in this section to a conveyance shall, unless the context otherwise requires, be construed as including a reference to an aircraft, vehicle or vessel.

Search
and
seizure
to be
made in
accord-
ance
with
the
Code of
Criminal
Proce-
dure,
1973.
Confis-
cation.

10E. The provisions of the Code of Criminal Procedure, 1973, relating to searches and seizures shall, so far as may be, apply to every search or seizure made under this Act.

2 of 1974.

10F. Any commodity in respect of which—

(a) a certificate has been obtained from an agency referred to in sub-section (1) of section 7 fraudulently or by misrepresentation, or

(b) any provision of this Act has been, is being, or is attempted to be, contravened,

shall, together with any package, covering or receptacle in which such commodity is found, be liable to confiscation and, where such commodity is so mixed with any other goods or materials that it cannot be readily separated, such other goods or materials shall also be liable to confiscation:

Provided that where it is established to the satisfaction of the adjudicating authority that any commodity, which is liable to confiscation under this Act, belongs to a person other than the person who has, by any act or omission, rendered it liable to confiscation, and such act or omission was without the knowledge or connivance of the person to whom it belongs such commodity shall not be ordered to be confiscated; but such other action as is authorised by this Act may be taken against the person who has, by such act or omission, rendered such commodity liable to confiscation.

10G Any conveyance or animal which has been, is being, or is attempted to be, used for the transport of any commodity which is liable to confiscation, under this Act, shall be liable to confiscation unless the owner of the conveyance or animal proves that it was, is being, or is about to be, so used without the knowledge or connivance of the owner himself, his agent, if any, and the person in charge of the conveyance or animal and that each of them had taken all reasonable precautions against such use:

Confisca-
tion of
con-
veyance

Provided that in the case of a conveyance or animal used for the transport of goods or passengers for hire, the owner of the conveyance or animal shall be given an option to pay, in lieu of confiscation of the conveyance or animal, a fine not exceeding the value of the commodity which has been, is being, or is attempted to be, transported by such conveyance or animals.

10H. Whenever confiscation of any commodity is authorised by this Act, the officer adjudging it shall, without prejudice to the provisions of the proviso to section 10G, give to the owner of the commodity an option to pay in lieu of confiscation such fine not exceeding the value of the commodity.

Option to
Pay fine
in lieu
of con-
fiscation.

10-I. Any person,—

Liability
to penalty.

(a) who, in relation to any commodity, does or omits to do any act which act or omission would render such commodity liable to confiscation under this Act, or abets the doing or omission of such an act; or

(b) who acquires possession of or is in any way concerned in carrying, removing, depositing, keeping, concealing, selling or purchasing, or in any manner dealing with, any commodity which he knows or has reason to believe is liable to confiscation under this Act,

shall be liable to a penalty not exceeding five times the value of the commodity or five thousand rupees, whichever is more, whether or not such commodity has been confiscated or is available for confiscation.

10J. No confiscation made or penalty imposed under the foregoing provisions of this Act shall prevent the infliction of any other punishment to which the person affected thereby is liable under the provisions of this Act or under any other law for the time being in force

Confisca-
tion or
penalty
not to
interfere
with
other
punish-
ments.

10K. Any confiscation may be adjudged or penalty may be imposed under this Act by the Director of Inspection and Quality Control, or, where he so directs, by a general or special order, by any officer subordinate to him.

Adjudica-
tion.

Giving
of op-
portunity
to the
owner
of goods,
etc.

10L. No order of adjudication of confiscation or imposing a penalty shall be made unless the owner of the commodity, conveyance or animal or other person concerned, is given a notice in writing—

(a) informing him of the grounds on which it is proposed to confiscate such commodity, conveyance or animal or to impose a penalty;

(b) giving him a reasonable opportunity of making a representation in writing within such reasonable time as may be specified in the notice against the confiscation or imposition of penalty mentioned therein, and, if he so desires, of being heard in the matter.

Appeal.

10M. (1) Any person aggrieved by any decision or order made under this Act may prefer an appeal,—

(a) where the decision or order has been made by the Director of Inspection and Quality Control, to the Central Government;

(b) where the decision or order has been made by any officer subordinate to the Director of Inspection and Quality Control, to the Director of Inspection and Quality Control.

within a period of forty-five days from the date on which the decision or order is served on such person:

Provided that the Appellate authority may, if it is satisfied that the appellant was prevented by sufficient cause from preferring the appeal within the aforesaid period of forty-five days, allow such appeal to be preferred within a further period of forty-five days:

Provided further that in the case of an appeal against an order imposing a penalty, no such appeal shall be entertained unless the amount of the penalty has been deposited by the appellant:

Provided also that where the Appellate authority is of the opinion that the deposit to be made will cause undue hardship to the appellant, it may, at its discretion, dispense with such deposit either unconditionally or subject to such conditions as it may impose.

(2) The Appellate authority may, after giving to the appellant a reasonable opportunity of being heard, if he so desires, and after making such further inquiries, if any, as it may consider necessary, pass such orders as it thinks fit, confirming, modifying or reversing the decision or order appealed against, or may send back the case, with such directions as it may think fit for a fresh adjudication of decision, as the case may be, after taking additional evidence, if necessary:

Provided that an order enhancing or imposing a penalty or confiscating commodity of a greater value shall not be made under this section unless the appellant has had an opportunity of making a representation and, if he so desires, of being heard, in his defence.

Powers of
revision.

10N. The Central Government may, on its own motion or otherwise, call for and examine the records of any proceeding in which an order of adjudication of confiscation or imposing any penalty has been made by any officer under this Act and against which no appeal has been preferred, for the purpose of satisfying

itself as to the correctness, legality or propriety of such order or decision and pass such orders thereon as it may think fit:

Provided that no decision or order shall be varied under this section so as to prejudicially affect any person unless such person—

(a) has, within a period of two years from the date of such decision or order, received a notice to show cause why such decision or order shall not be varied, and

(b) has been given a reasonable opportunity of making a representation and, if he so desires, of being heard in his defence.

5 of 1908.

10-O. (1) Every authority making any adjudication or hearing any appeal or exercising any powers of revision under this Act shall have all the powers of a civil court under the Code of Civil Procedure, 1908, while trying a suit, in respect of the following matters, namely:—

Powers of adjudicating and other authorities.

(a) summoning and enforcing the attendance of witnesses;

(b) requiring the discovery and production of any document;

(c) requisitioning any public record or copy thereof from any court or office;

(d) receiving evidence on affidavits; and

(e) issuing commissions for the examination of witnesses or documents.

2 of 1974.

(2) Every authority making any adjudication or hearing any appeal or exercising any powers of revision under this Act shall be deemed to be a Civil Court for the purposes of sections 345 and 346 of the Code of Criminal Procedure, 1973.

(3) Every authority making any adjudication or hearing any appeal or exercising any powers of revision under this Act shall have the power to make such orders of an interim nature as it may think fit and may also, for sufficient cause, order the stay of operation of any decision or order.

10P. (1) Where a penalty has been imposed by the adjudicating authority and—

(a) no appeal against the order imposing such penalty has been preferred to the Appellate authority and the person entitled to file such appeal dies or is adjudicated an insolvent before the expiry of the period within which the appeal can be preferred; or

(b) an appeal has been preferred to the Appellate authority against the order imposing such penalty but the appellant dies or is adjudicated an insolvent during the pendency of the appeal,

Continuance of proceedings in the event of death or insolvency.

then, it shall be lawful for the legal representatives of such person or the Official Assignee or the Official Receiver, as the case may be, to prefer an appeal to the Appellate authority or, as the case may be, to continue the appeal before the Appellate authority, in place of such person and the provisions of section 10M shall, so far as may be, apply or continue to apply to such appeal.

(2) The powers of the Official Assignee or the Official Receiver under sub-section (1) shall be exercised by him subject to the pro-

visions of the Presidency-towns Insolvency Act, 1909, or the Provincial Insolvency Act, 1920, as the case may be.

3 of 1909.

5 of 1920.

Amend-
ment of
section
11.

6. In sub-section (1) of section 11 of the principal Act, in clause (ii), for the words "two years", the words "three years" shall be substituted.

Insertion of
new sections 11A,
11B and
11C.

7. After section 11 of the principal Act, the following sections shall be inserted, namely:—

Penalty
for con-
traven-
tion of
order
made by
adjudicat-
ing autho-
rity or
Appel-
late
autho-
rity.

"11A. If any person fails to pay the penalty imposed by the adjudicating or the Appellate authority or fails to comply with any direction or order made, or deemed to have been made, under this Act, he shall, on conviction, be punishable with imprisonment for a term which may extend to two years, or with fine, or with both.

Offences
by offi-
cers and
emplo-
yees of
agency,
etc.

11B. (1) If any officer or employee of the Council or of any agency referred to in sub-section (1) of section 7, or any surveyor, sampler or employee of any testing house, referred to in sub-section (2) of that section enters into, or acquiesces in, any agreement to do, abstains from doing, permits, conceals or connives at, any act or thing whereby any provision of this Act is or may be contravened, he shall, on conviction, be punishable with imprisonment for a term which may extend to two years, or with fine which may extend to five thousand rupees, or with both.

(2) If any officer searches or authorises any other officer of the Central Government to search any place without having reason to believe that any commodity, books of account or documents or things of the nature referred to in section 10B are secreted in that place, he shall, on conviction, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

(3) If any officer or employee of the Council or of any agency referred to in sub-section (1) of section 7, or any surveyor, sampler or employee of any testing house, referred to in sub-section (2) of that section, except in the discharge in good faith of his duty as such officer or employee or in compliance with any requisition made under any law for the time being in force, discloses any particulars learnt by him in his official capacity in respect of any commodity, he shall, on conviction, be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to one thousand rupees, or with both.

Correc-
tion of
clerical
or arith-
metical
mistakes.

11C. Clerical or arithmetical mistakes in any decision or order, or errors arising therein from any accidental slip or omission may, at any time, be corrected by the authority by which the decision or order was made either on its own motion or on the application of the aggrieved person:

Provided that where any correction proposed to be made under this section will have the effect of prejudicially affecting any person, no such correction shall be made except after giving to that person a reasonable opportunity of making a representation in the matter and no such correction shall be made after the expiry of a period of two years from the date on which such decision or order was made."

8. After section 16 of the principal Act, the following section shall be inserted, namely:—

Insertion
of new
section
16A.

"16A. (1) If the Central Government is satisfied that circumstances exist which render it necessary or expedient so to do in the public interest, it may, by notification in the Official Gazette, suspend or relax to a specified extent, the operation of all or any of the provisions of this Act in respect of such notified commodity or commodities generally or in respect of any area and for such period as may be specified in the notification.

Suspension,
etc., of
operation
of the
provisions
of the Act.

(2) Where the operation of any provision of this Act has, under sub-section (1), been suspended or relaxed, such suspension or relaxation may, at any time, be removed by the Central Government by a like notification.

(3) Every notification issued under this section shall be laid, as soon as may be after it is issued, before each House of Parliament, while it is in session, for a total period of thirty days which may be comprised in one session or in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid, both Houses agree in making any modification in the notification or both Houses agree that the notification should not be issued, the notification shall thereafter have effect only in such modified form or be of no effect, as the case may be; so, however, that any such modification or annulment shall be without prejudice to the validity of anything previously done under that notification."

9. In section 17 of the principal Act,—

Amendment
of
section
17.

(a) in sub-section (2),—

(i) after clause (f), the following clause shall be inserted, namely:—

"(ff) the manner in which, and the procedure subject to which any certificate issued under sub-section (3) of section 7 shall be amended, suspended or cancelled,";

(ii) after clause (g), the following clause shall be inserted, namely:—

"(gg) the authority or person by which or by whom, and the manner in which, any document received from a place outside India shall be authenticated,";

(b) in sub-section (3), for the words "in which it is so laid", the words "immediately following the session" shall be substituted,

STATEMENT OF OBJECTS AND REASONS

For the sound development of the export trade of India through quality control and inspection, the Export (Quality Control and Inspection) Act, 1963 (22 of 1963) was enacted in 1963. The Act came into force from 1st January, 1964 and it empowers the Central Government to notify commodities for the purposes of compulsory quality control and pre-shipment inspection. Once a commodity was notified, it cannot be exported unless it is accompanied by a certificate of export worthiness, issued by an export inspection agency established or recognised by the Government under the Act.

2. Under section 3 of the Act, the Export Inspection Council was established on the 1st January 1964 and its main function is to advise the Central Government regarding measures of enforcement of quality control and inspection of commodities intended for export. Five export inspection agencies have been established under the provisions of the Act and a few private inspection agencies have also been given recognition under the provisions of the Act.

3. Of late, a need has been felt for giving greater emphasis on measures of quality control and pre-shipment inspection in the interests of projecting the right image for Indian goods in overseas markets. With a view to achieving this object, a review was made of the working of the provisions of the Act in the light of the experience gained in the working of the Act. This review has come to light certain inadequacies, deficiencies and lacunae in the Act and it is proposed to amend some of the provisions of the Act so as to enable the Export Inspection Council and the export inspection agencies to administer the compulsory quality control and pre-shipment inspection schemes more effectively.

4 The Bill accordingly provides for the following changes in the Act, namely:—

(i) it is proposed to enlarge the membership of the Export Inspection Council by four persons who will be nominated by the Central Government;

(ii) under the existing provisions, a certificate of export worthiness once issued to a commodity by the export inspection agency cannot be withdrawn even if there are reasons to believe that the certificate was issued wrongly or fraudulently. It is proposed to empower the agencies to amend or suspend or cancel such certificate in accordance with the procedure to be prescribed by rules under the Act;

(iii) the Act at present provides for prosecutions only for fraudulent use of export worthy certificates or other violations of the Act. Experience has shown that these steps did not have the desired effect in curbing the abuses of the quality control and pre-shipment inspection facilities. There is also no guarantee that the

sentences of imprisonment or fine imposed by courts would mop up the ill-gotten gains accruing to persons misusing the facilities. With a view to remove this lacuna in the Act, it is proposed to provide for the entry, inspection and search of premises in which notified commodities which have been manipulated after examination by the export inspection agencies or documents or things in connection therewith are suspected to have been kept or concealed and to seize them. Provision for the confiscation of such commodities and imposition of penalties have also been proposed in the Bill;

(iv) in order to have a check on the misuse or abuse of powers by the officers of the Export Inspection Council or of the export inspection agencies, it is proposed to make a provision by which the delinquent officers who have misused their authority would be liable to punishment under the Act;

(v) under the existing provisions, commodities notified by the Central Government are prohibited from export unless they are accompanied by certificates issued by export inspection agencies. There may be some special contingencies when it may be necessary for temporary suspension or relaxation of the operation of all or any of the provisions of the Act in respect of certain commodities or areas. It is proposed to provide this power to the Central Government.

5. The Bill seeks to achieve the aforesaid objects.

NEW DELHI;
The 2nd November, 1983.

VISHWANATH PRATAP SINGH.

FINANCIAL MEMORANDUM

Clause 3 of the Bill seeks to amend clause (f) of sub-section (1) of section 3 of the Export (Quality Control and Inspection) Act, 1963 so as to increase the number of nominated members of the Export Inspection Council from eleven to fifteen. Under sub-section (3) of that section, the members of the Council are entitled to be paid such travelling and daily allowances as may be prescribed by rules made under the Act. It is estimated that the expenditure that is likely to be incurred towards payment of travelling and daily allowances to the four new members will come to Rs. 24,000 per annum.

2. Clause 5 of the Bill proposes to insert new sections 10A to 10P in the Act. New sections 10A to 10C of the Act empower the Director of Inspection and Quality Control or any officer of the Central Government authorised by him in this behalf, to enter and inspect and search any premises in which any commodities which have been changed after examination by an export inspection agency or the books of account or other documents or things in respect of any such commodity are suspected to have been kept or concealed and to seize such commodities, documents or things. The said officers have also been given power under the new section 10D to stop and seize conveyances which are used for the transportation of any commodities which are liable to confiscation under the Act. New section 10K empowers certain officers to adjudge the confiscation or impose penalties under the Act. The power to hear appeals against orders made under the Act has been given to the Central Government and the Director of Inspection and Quality Control under the new section 10M. The Bill, if enacted, would necessitate the appointment of certain officers and staff for carrying out the above functions. The estimated administrative recurring expenditure for meeting the salaries and other expenses of the officers and staff is likely to be of the order of Rs. 87,000. A non-recurring expenditure of the order of Rs. 20,000 is also likely to be involved.

3. The Bill does not involve any other expenditure either recurring or non-recurring.

MEMORANDUM REGARDING DELEGATED LEGISLATION

Clause 8 of the Bill seeks to insert a new section 16A in the Export (Quality Control and Inspection) Act, 1963, which empowers the Central Government to suspend or relax to a specified extent by notification the operation of all or any of the provisions of the Act in respect of such notified commodity or commodities generally or in respect of any area and for such period as may be specified in the notification. This power is required to meet certain special contingencies such as total strike in the export inspection agency when it may be necessary for temporary suspension of the operation of the Act. There may be other circumstances and contingencies also which cannot be visualised. It is, however, made clear that the power can be exercised only when it is necessary or expedient in the public interest. As in the case of rules, provision is made for laying of such notifications before each House of Parliament and for their modification or annulment by Parliament. In the circumstances, the delegation of legislative power is of a normal character.

2. Sub-section (1) of section 17 of the Act empowers the Central Government to make rules to carry out the purposes of the Act. Sub-section (2) of the said section 17 enumerates the matters with respect to which rules may be made. Clause 9 of the Bill seeks to insert two new clauses (ff) and (gg) in the said sub-section (2), to provide for the manner in which, and the procedure subject to which, any certificate issued under sub-section (3) of section 7 of the Act shall be amended, suspended or cancelled under the new sub-section (3A) of that section and to specify the authority or person by which or by whom, and the manner in which, any document received from a place outside India shall be authenticated. The matters for which rules may be made under these two new clauses are matters of detail or procedure. The delegation of legislative power is, therefore, of a normal character.

BILL No. 138 OF 1983

A Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1983-84 for the purposes of Railways.

BE it enacted by Parliament in the Thirty-fourth Year of the Republic of India as follows:—

Short
title.

1. This Act may be called the Appropriation (Railways) No. 5 Act, 1983.

Issue of
Rs. 5,00,000
out of the
Consolidated
Fund of
India for
the financial year
1983-84.

2. From and out of the Consolidated Fund of India there may be paid and applied sums not exceeding those specified in column 3 of the Schedule amounting in the aggregate to the sum of five lakhs rupees towards defraying the several charges which will come in course of payment during the financial year 1983-84, in respect of the services relating to Railways specified in column 2 of the Schedule.

Appropriation.

3. The sums authorised to be paid and applied from and out of the Consolidated Fund of India by this Act shall be appropriated for the services and purposes expressed in the Schedule in relation to the said year.

THE SCHEDULE

(See sections 2 and 3)

1 No. of Vote	2 Services and purposes	3 Sumas not exceeding		
		Voted by Parliament	Charged on the Consoli- dated Fund	Total
		Rs.	Rs.	Rs.
6	Assets— Acquisition, Construction and Repla- cement—			
	Other Expenditure	3,00,000	..	3,00,000
	TOTAL	3,00,000	..	3,00,000

STATEMENT OF OBJECTS AND REASONS

This Bill is introduced in pursuance of article 114(1) of the Constitution of India, read with article 115 thereof, to provide for the appropriation out of the Consolidated Fund of India of the moneys required to meet the supplementary expenditure on the grants made by the Lok Sabha for expenditure of the Central Government on Railways, for the financial year 1983-84.

A. B. A. GHANI KHAN CHOUDHURY.

PRESIDENT RECOMMENDATION UNDER ARTICLE 117
OF THE CONSTITUTION OF INDIA

[Copy of the letter No. 83-B-402, dated the 7th December, 1983 from Shri A. B. A. Ghani Khan Choudhary, Minister of Railways to the Secretary, Lok Sabha.]

The President, having been informed of the subject matter of the proposed Appropriation Bill to authorise payment and appropriation of certain further sums from and out of the Consolidated Fund of India for the services of the financial year 1983-84 for the purposes of Railways, recommends under clauses (1) and (3) of article 117 of the Constitution of India read with clause (2) of article 115 thereof, the introduction in and consideration by Lok Sabha of the Appropriation Bill.

AVTAR SINGH RUKHY,
Secretary.